

09/057,406

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Werenicz et al.

Serial #: 09/057,406

Filed: April 8, 1998



Examiner: J. Aftergut

Group Art Unit: 1722

Docket: 94-36-3-US-D

#15/ pre D  
V. Day  
H. G. D.

Title: **METHOD FOR PRODUCING A CONTINUOUS THERMOPLASTIC COATING & ARTICLES CONSTRUCTED THEREFROM**

Honorable Commissioner of Patent  
and Trademarks  
Washington D.C. 20231

This paper is in response to the Advisory Action of 2-18-00.

AMENDMENT

In the specification, at p. 1, line 17 please amend the "References to Related Applications" section to state, "This application is a divisional of serial no. 08/705,578 filed August 29, 1996, which is a continuation of PCT/EP96/00377 filed January 30, 1996 which claims priority to PCT/EP95/00665, filed February 23, 1995."

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RESPONSE

The Examiner has taken the position that the Appel et al. reference is insufficient for establishing the relationship between Control Coat® and the process of applying conformal coatings in Boger et al. Specifically, the Appel et al. reference lacks the segmented shim depicted in Boger et al. Although, the Applicants do not necessarily agree with the Examiner, the Examiner's position is understood.

EXPRESS MAIL  
NO. EK404133405US

Accordingly, the Applicants would like to bring U.S. Patent No. 5,421,921 to the attention of the Examiner. This is the patent that issued from Serial No. 07/910,782 filed July 8, 1992 to which Boger et al. claims priority. This patent clearly demonstrates that the same apparatus that is depicted in Boger et al. produces fibrous webs when a hot melt rather than a solvent based composition is employed. The declaration of Dr. Peter Reemers supports the fact that this apparatus is not suitable for producing a continuous film with a molten hot melt adhesive at low coating weights.

In view of the declaration and the discussion set forth in the previous response submitted 2-14-00, the Applicants respectfully request reconsideration and a timely allowance. The Applicants further request that the Examiner contact their representative regarding a supplemental declaration in the event that the Examiner is not satisfied with the particular wording of the declaration previously submitted.

Respectfully submitted,

*Carolyn A. Fischer*

*3-18-00*

Carolyn A. Fischer

Date

Reg. No. 39,091

H.B. FULLER COMPANY

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(651) 236-5304

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL (Large Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

94-36-3-US-D1

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

Harald Werénicz

J. Aftergut

1733

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231#14/0.2000  
4/6/00

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/057,406 filed on April 8, 1998 and entitled:

**METHOD FOR PRODUCING A CONTINUOUS THERMOPLASTIC COATING & ARTICLES CONSTRUCTED THEREFROM**

1. ☒ Enter the unentered amendment previously filed on Feb. 14, 2000 under 37 CFR 1.116 in the prior nonprovisional application.

2. ☒ A preliminary amendment is enclosed.

3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 4.53(d)(4).

a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

6. ☒ The fee for this application is calculated as follows:

04/05/2000 STEFERRA 00000127 062241 09057406  
01 FC:103 90.00 CH  
02 FC:102 234.00 CH  
03 FC:131 690.00 CH

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**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	25	- 20 =	5	x \$18.00	\$90.00
Indep. Claims	6	- 3 =	3	x \$78.00	\$234.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$690.00
TOTAL FILING FEE					\$1,014.00

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 06-2241

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of \_\_\_\_\_ is enclosed.

9. ☒ Also enclosed:

*Petition for Extension of Time*  
*Index '93 Int. Congress ... article*

10. ☒ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

**H.B. FULLER COMPANY**  
**PATENT DEPARTMENT**  
**P.O. BOX 64683**  
**ST. PAUL, MN 55164-0683**

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

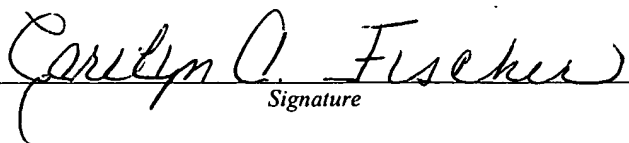
**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated:

4-3-00

  
Signature

Carolyn A. Fischer

Typed or printed name

39,091

Registration Number (if applicable)

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record

cc: